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10/733,842	12/11/2003	Indran Naick	AUS920030758US1	2191

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EXAMINER	
CASCA, FRED A	

ART UNIT	PAPER NUMBER
2687	

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/733,842	NAICK ET AL.	
	Examiner	Art Unit	
	Fred A. Casca	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-23 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-23 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 11 December 2003 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Objections

1. Claims 6, 13, and 22 are objected to because of misspelled words. The problem can be resolved by replacing "a" by "an" before the word "audio" in line 3 of claims 6, 13, and 22.

Claim Rejections –35 U.S.C. 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 7-9, 14-18 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Lindquist et al., U.S. Patent No. 6,687,362 B1.

Referring to claim 1, Lindquist discloses a method in a wireless communication device for updating telephone information stored in the communication device (Figs. 1-3, abstract, and col. 2 lines 1-40, "automatic address book update"), said method comprising the steps of receiving an error code from a wireless communication system (Figs. 1-3 and col. 5, line 55 through col. 6, line 10, note that in step 306-309, the system determines if there is a new or additional information about the caller/receiver, inherently by an error code, where "yes" indicates the presence of an error code) automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number, wherein the error code contains information indicating the new telephone number (Figs. 1-3 and col. 5, line 55 through

col. 6, line 10, note that figure 2 illustrates an address book which contains telephone number. Further note that in figure 3 in steps 306-309, the system determines if there is a new or additional information about the caller/receiver, hence it is inherent that the system automatically determines if the error code indicates that a designated telephone number has changed to a new telephone number, where the error code contains information indicating the new telephone number), automatically determining the new telephone number from the information; and automatically updating a database contained within the wireless communication device with the new telephone number (Fig. 3, and col. 5, line 55 through col. 6, line 10, note that the address book is automatically updated in step 309, hence it is inherent that a new telephone number is determined automatically from the information provided by the error code).

Referring to claim 2, Lindquist discloses the method according to claim 1, wherein the error code is received in response to the wireless communication device initiating a call to the designated telephone number utilizing the wireless communication system (Fig. 3, and col. 4, lines 52-67, "originates or receives a telephone call").

Referring to claim 7, Lindquist discloses the method according to claim 1, wherein the step of automatically updating a database contained within the wireless communication device with the new telephone number includes updating a phone book contained in the wireless communication device (Figs 1-3, and col. 3, line 19 through col. 4, line 50).

Referring to claim 8, Lindquist discloses a wireless communication device having automatic update of telephone information stored in the wireless communication device (Figs. 1-3, abstract, and col. 2 lines 1-40, "automatic address book update") comprising means for receiving an error code from a wireless communication system (Figs. 1-3 and col. 5, line 55 through col. 6, line 10, note that in step 306-309, the system determines if there is a new or additional information about the caller/receiver, inherently by an error code, where "yes" indicates the presence of an error code); means for automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number, wherein the error code contains information indicating the new telephone number (Figs. 1-3 and col. 5, line 55 through col. 6, line 10, note that figure 2 illustrates an address book which contains telephone number. Further note that in figure 3 in steps 306-309, the system determines if there is a new or additional information about the caller/receiver, hence it is inherent that the system automatically determines if the error code indicates that a designated telephone number has changed to a new telephone number, where the error code contains information indicating the new telephone number), means for automatically determining the new telephone number from the information, and means for automatically updating a database contained within the wireless communication device with the new telephone number (Fig. 3, and col. 5, line 55 through col. 6, line 10, note that the address book is automatically updated in step 309, hence it is inherent that a new telephone number is determined automatically from the information provided by the error code).

Referring to claim 9, Lindquist discloses the wireless communication device according to claim 8, wherein the error code is received in response to the wireless communication device initiating a call to the designated telephone number utilizing the wireless communication system (Fig. 3, and col. 4, lines 52-67, "originates or receives a telephone call").

Referring to claim 14, Lindquist discloses the wireless communication device according to claim 8, wherein the step of automatically updating a database contained within the wireless communication device with the new telephone number includes updating a phone book contained in the wireless communication device (Figs 1-3, and col. 3, line 19 through col. 4, line 50).

Referring to claim 15, Lindquist discloses the wireless communication device according to claim 8, wherein the wireless communication device is a cellular telephone (Fig. 3, and col. 3, lines 19-37).

Referring to claim 16, Lindquist discloses the wireless communication device according to claim 8, wherein the wireless communication device is a wireless personal digital assistant (Fig. 3, and col. 3, lines 19-37).

Referring to claim 17, Lindquist discloses an article of manufacture comprising machine-readable medium including program logic embedded therein that causes control circuitry in a wireless communication device for updating telephone information stored in the wireless

communication device (Figs. 1-3, abstract, and col. 2 lines 1-40, "automatic address book update", note that address and telephone number updating is performed, hence there exists a machine-readable medium including program logic in order to perform the updating process in figure 3) to perform the steps of receiving an error code from a wireless communication system (Figs. 1-3 and col. 5, line 55 through col. 6, line 10, note that in step 306-309, the system determines if there is a new or additional information about the caller/receiver, inherently by an error code, where "yes" indicates the presence of an error code); automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number, wherein the error code contains information indicating the new telephone number (Figs. 1-3 and col. 5, line 55 through col. 6, line 10, note that figure 2 illustrates an address book which contains telephone number. Further note that in figure 3 in steps 306-309, the system determines if there is a new or additional information about the caller/receiver, hence it is inherent that the system automatically determines if the error code indicates that a designated telephone number has changed to a new telephone number, where the error code contains information indicating the new telephone number); automatically determining the new telephone number from the information, and automatically updating a database contained within the wireless communication device with the new telephone number (Fig. 3, and col. 5, line 55 through col. 6, line 10, note that the address book is automatically updated in step 309, hence it is inherent that a new telephone number is determined automatically from the information provided by the error code).

Referring to claim 18, Lindquist discloses the article of manufacture of claim 17, wherein the error code is received in response to the wireless communication device initiating a call to the

designated telephone number utilizing the wireless communication system (Fig. 3, and col. 4, lines 52-67, "originates or receives a telephone call").

Referring to claim 23, Lindquist discloses the article of manufacture of claim 17, wherein the step of automatically updating a database contained within the wireless communication device with the new telephone number includes updating a phone book contained in the wireless communication device (Figs 1-3, and col. 3, line 19 through col. 4, line 50).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3, 10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindquist et al., U.S. Patent No. 6,687,362 B1, in view of U.S. Pub. No. 20040176062 A1, Hsieh.

Referring to claim 3, Lindquist discloses the method according to claim 1.

Lindquist does not specifically disclose the step of automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number

includes **detecting tonal signals** within the error code transmitted by the wireless communication system.

Hsieh discloses a method for detecting tonal signals corresponding to a tone frequency (Abstract, and paragraphs 0002, 0008, "detecting a tone signal").

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the method of Lindquist by providing the step of automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number to include detecting tonal signals, within the error code transmitted by the wireless communication system, as suggested by Hsieh, motivation being to detect the any changes in the address book and consequently updating the address book.

Referring to claim 10, Lindquist discloses the wireless communication device according to claim 8.

Lindquist does not specifically disclose the step of automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number includes detecting tonal signals within the error code transmitted by the wireless communication system.

Hsieh discloses a method for detecting tonal signals corresponding to a tone frequency (Abstract, and paragraphs 0002, 0008, "detecting a tone signal").

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the method of Lindquist by providing the step of automatically determining if the error code indicates that a designated telephone number has changed to a new telephone

number to include detecting tonal signals, within the error code transmitted by the wireless communication system, as suggested by Hsieh, motivation being to detect the any changes in the address book and consequently updating the address book.

Referring to claim 19, Lindquist discloses the article of manufacture of claim 17.

Lindquist does not disclose the step of automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number includes **detecting tonal signals** within the error code transmitted by the wireless communication system.

Hsieh discloses a method for detecting tonal signals corresponding to a tone frequency (Abstract, and paragraphs 0002, 0008, "detecting a tone signal").

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the article of manufacture of Lindquist by providing the step of automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number to include detecting tonal signals, within the error code transmitted by the wireless communication system, as suggested by Hsieh, motivation being to detect the any changes in the address book and consequently updating the address book.

6. Claims 6, 13, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindquist et al., U.S. Patent No. 6,687,362 B1, in view of U.S. Pub. No. 20030179866 A1, Stillman et al.

Referring to claim 6, Lindquist discloses the method according to claim 1.

Lindquist does not specifically disclose the step of automatically determining the new telephone number from the information includes performing voice recognition processing on an audio signal accompanying the error code.

Stillman discloses an address updating method where voice recognition is used to recognize a subscriber's voice (paragraphs 0028).

It would have been obvious to one of the ordinary skill in the art at the time of invention to modify the method of Lindquist by providing a voice recognition feature, as suggested by Stillman, motivation being for the purpose of performing voice recognition processing on an audio signal accompanying the error code.

Referring to claim 13, Lindquist discloses the wireless communication device according to claim 8.

Lindquist does not disclose the step of automatically determining the new telephone number from the information includes performing voice recognition processing on a audio signal accompanying the error code.

Stillman discloses an address updating method where voice recognition is used to recognize a subscriber's voice (paragraphs 0028).

It would have been obvious to one of the ordinary skill in the art at the time of invention to modify the device of Lindquist by providing a voice recognition feature, as suggested by Stillman, motivation being for the purpose of performing voice recognition processing on an audio signal accompanying the error code.

Referring to claim 22, Lindquist discloses the article of manufacture of claim 17. Lindquist does not specifically disclose the step of automatically determining the new telephone number from the information includes performing **voice recognition processing** on an audio signal accompanying the error code.

Stillman discloses an address updating method where voice recognition is used to recognize a subscriber's voice (paragraphs 0028).

It would have been obvious to one of the ordinary skill in the art at the time of invention to modify the article of manufacture of Lindquist by providing a voice recognition feature, as suggested by Stillman, motivation being for the purpose of performing voice recognition processing on an audio signal accompanying the error code.

7. Claims 4-5, 11-12, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindquist et al., U.S. Patent No. 6,687,362 B1, in view of well known prior art (MPEP 2144.03).

Referring to claim 4, the Lindquist discloses the method according to claim 1.

Lindquist does not specifically disclose the step of automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number includes **detecting a software object** within the error code transmitted by the wireless communication system.

The examiner takes official notice of the fact that it is well known in the art to use detecting software objects in determining if an error code indicates designated information.

It would have been obvious to one of the ordinary skill in the art at the time of the invention to provide the method of Lindquist with a detecting software object, motivation being to detect new information including telephone numbers in the software or error code.

Referring to claim 5, Lindquist discloses the method according to claim 1.

Lindquist does not specifically disclose the step of automatically determining the new telephone number from the information includes **extracting the new telephone number** from a software object within the error code.

The examiner takes official notice of the fact that it is well known in the art to extract information from a software object.

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the method of Lindquist to include extracting the new telephone number from a software object within the error code, motivation being for the purpose of obtaining the new telephone information in the updating process.

Referring to claim 11, Lindquist discloses the wireless communication device according to claim 8.

Lindquist does not specifically disclose the step of automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number includes **detecting a software object** within the error code transmitted by the wireless communication system.

The examiner takes official notice of the fact that it is well known in the art to use detecting software objects in determining if an error code indicates designated information.

It would have been obvious to one of the ordinary skill in the art at the time of the invention to provide the device of Lindquist with a detecting software object, motivation being to detect new information including telephone numbers in the software or error code.

Referring to claim 12, Lindquist discloses the wireless communication device according to claim 8.

Lindquist does not disclose the step of automatically determining the new telephone number from the information includes extracting the new telephone number from a software object within the error code.

The examiner takes official notice of the fact that it is well known in the art to extract information from a software object.

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the device of Lindquist to include extracting the new telephone number from a software object within the error code, motivation being for the purpose of obtaining the new telephone information in the updating process.

Referring to claim 20, Lindquist discloses the article of manufacture of claim 17.

Lindquist does not discloses the step of automatically determining if the error code indicates that a designated telephone number has changed to a new telephone number includes

detecting a software object within the error code transmitted by the wireless communication system.

The examiner takes official notice of the fact that it is well known in the art to use detecting software objects in determining if an error code indicates designated information.

It would have been obvious to one of the ordinary skill in the art at the time of the invention to provide the article of manufacture of Lindquist with a detecting software object, motivation being to detect new information including telephone numbers in the software or error code.

Referring to claim 21, Lindquist discloses the article of manufacture of claim 17.

Lindquist does not disclose the step of automatically determining the new telephone number from the information includes **extracting the new telephone number** from a software object within the error code.

The examiner takes official notice of the fact that it is well known in the art to extract information from a software object.

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the device of Lindquist to include extracting the new telephone number from a software object within the error code, motivation being for the purpose of obtaining the new telephone information in the updating process.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kobashikawa et al, US Pub. No. 2004/0186848 A1 discloses a method for updating an address book.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred A. Casca whose telephone number is (571) 272-7918. The examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid, can be reached at (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RAFAEL PEREZ-GUTIERREZ
PRIMARY EXAMINER
9/19/07